

Remarks:

Applicant replies to the Office Action dated January 06, 2010 within three months. Claims 1-7, and 9-19 are pending in the application and the Examiner rejects claims 1-7, and 9-19. Applicant adds new claim 20. Support for the amendments and new claim may be found in the originally-filed specification, claims, and figures. No new matter has been introduced by these amendments and new claim. Reconsideration of this application is respectfully requested.

Objections to the Claims

Claim 9 is objected to due to an informality. The Applicant thanks the Examiner for identifying the informality and amends the claim to correct. The Applicant believes the objection is now moot and should be reconsidered and withdrawn.

Rejection under 35 U.S.C. § 103(a)

The Examiner rejects claims 1-3, 5-7, 9-10, 12-14, and 17-18 under 35 U.S.C. 103(a) as allegedly being unpatentable over Janacek et al., U.S. Patent No. 6,684,248 ("Janacek"), in view of Poplawski et al., U.S. Publication No. 2003/0208441 ("Poplawski"). Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Janacek in view of Poplawski and in further view of Fung et al., U.S. Publication No. 2002/0055909 ("Fung"). Claims 16 and 19 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Janacek in view of Poplawski and in further view of Choubey et al., U.S. Patent No. 7,305,430 ("Choubey"). Applicant respectfully disagrees with these rejections, but Applicant amends certain claims without prejudice or disclaimer in order to clarify the patentable aspects of certain claims and to expedite prosecution.

Janacek generally teaches "a method for secure transmission of a message via a network where a recipient of the message need not be a party to the network or maintain an active address in the network," (abstract). Specifically, Janacek teaches "that a private mail store is created for each user" (column 5, lines 1-6) and that "a username and password are then used to access a private inbox" (column 5, lines 13-24). As such, Janacek does not disclose or contemplate "maintaining the message in the common storage area of a database for dynamic retrieval by a second intended recipient," as recited by independent claim 1, (emphasis added) and similarly

recited by independent claims 9 and 20. Assuming arguendo, as stated on pages 2-3 of the Office Action, that the messages of each recipient are stored in a common storage area, which the Applicant does not, “the messages” in the cited references, once stored in the private message stores are not available for “retrieval by a second intended recipient,” as recited by independent claim 1, (emphasis added) and similarly recited by independent claims 9 and 20.

If this were possible in the system of Janacek, the second intended recipient would need to be given the username and password to access a private inbox of the first recipient, thus defeating the purpose of Janacek, which is secure transmission of a message. Alternatively, a second intended recipient would need to be given a copy of the message which would not be analogous to, nor would it disclose or contemplate the presently claimed limitations. As discussed in paragraph [0023] of the specification, dynamic access of a message, regardless of the number of intended recipients thereof or the size of the message, from a common storage area is contemplated. This is in contrast to a so-called Janacek “static inbox functionality,” wherein messages sent to a particular user are stored separately from messages sent to other users.

The Examiner concedes at page 5 of the Office Action of January 06, 2010, that “Janacek does not disclose wherein if there is no second identifier associated with the first intended recipient, the first intended recipient is prompted to create or register a second identifier.” The Examiner states further on page 5, “Poplawski discloses of a message alert system in which if there is no second identifier associated with the first intended recipient, the first intended recipient is prompted to create or register a second identifier.”

Poplawski relates to an electronic bill presentment and payment system and method. Applicant has not found any disclosure in Poplawski disclosing or suggesting “searching messages stored in a common storage area of a database to find messages for a first intended recipient by matching a first identifier with a message associated with the first identifier,” nor “maintaining the message in the common storage area of a database for dynamic retrieval by a second intended recipient,” as recited in amended independent claim 1 (emphasis added) and similarly recited in independent claims 9 and 20.

Fung relates to a technique for web site account and e-commerce management from a central location. The Examiner cites Fung to teach the use of an identifier that is a physical characteristic of the user that is identifiable by a biometric identification system. Applicant has

not found any disclosure in Fung disclosing or contemplating “searching messages stored in a common storage area of a database to find messages for a first intended recipient by matching a first identifier with a message associated with the first identifier,” nor “maintaining the message in the common storage area of a database for dynamic retrieval by a second intended recipient,” as recited in amended independent claim 1 (emphasis added) and similarly recited in independent claims 9 and 20.

Choubey relates to a technique for reducing data storage requirements on mail servers. The Examiner cites Choubey to teach storing only a single copy of an email with multiple recipients in a common storage space. Importantly, however, the technique of Choubey only stores an email in a common storage space if the email has multiple recipients and if the total storage space required is less than a predetermined threshold value. Otherwise, the email message is copied to a separate inbox folder of each recipient, (column 4, lines 23-50.) Thus, Choubey does not store a message in a common storage area of a database together with all other messages stored in the database, such that all messages are stored in the common storage area. Each recipient is notified individually, unlike the multiple addressed recipients of the technique of Choubey. Applicant has not found any disclosure in Choubey disclosing or contemplating “searching messages stored in a common storage area of a database to find messages for a first intended recipient by matching a first identifier with a message associated with the first identifier,” nor “maintaining the message in the common storage area of a database for dynamic retrieval by a second intended recipient,” as recited in amended independent claim 1 (emphasis added) and similarly recited in independent claims 9 and 20.

Applicant submits that Janacek, Poplawski, Fung and Choubey, whether considered individually or in combination, do not disclose or contemplate at least “searching messages stored in a common storage area of a database to find messages for a first intended recipient by matching a first identifier with a message associated with the first identifier,” nor “maintaining the message in the common storage area of a database for dynamic retrieval by a second intended recipient,” as recited in amended independent claim 1 (emphasis added) and similarly recited in independent claims 9 and 20. Therefore, Applicant submits that independent Claims 1, 9 and 20 are allowable over the cited art.

Dependent claims 2-7, and 10-19 variously depend from independent claims 1 and 9. Therefore, Applicant asserts that dependent claims 2-7, and 10-19 are patentable for at least the

same reasons stated above for differentiating independent claims 1 and 9, as well as in view of their own respective features. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of dependent claims 2-7, and 10-19.

When a phrase similar to “at least one of A, B, or C” or “at least one of A, B, and C” is used in the claims, Applicant intends the phrase to mean any of the following: (1) at least one of A; (2) at least one of B; (3) at least one of C; (4) at least one of A and at least one of B; (5) at least one of B and at least one of C; (6) at least one of A and at least one of C; or (7) at least one of A, at least one of B, and at least one of C.

Applicant respectfully submits that the pending claims are in condition for allowance. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **19-2814**. Applicant invites the Examiner to telephone the undersigned, if the Examiner has any questions regarding this Reply or the present application in general.

Respectfully submitted,

Dated: March 31, 2010

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